C.S.10d (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR,

CHHATTISGARH

WRIT PETITION NO. 3576 OF 2004

PETITIONER:

Jashwant Singh Rajput, S/O Barelal Rajput, Aged about 38 years, Presently posted and working as Upper Division Teacher in Government High School, Begacapa, Block Lormi, District Bilaspur (C.G.).

P.R. No. 35-15/04
Presented by Shri V.R. Tiwari
dated 28-9-04

Versus

RESPONDENTS:

1. State of Chhattisgarh,
   Through its Secretary,
   Department of School Education,
   D.K.S. Building, Mantralaya,
   Raipur (C.G.).

2. Director,
   Public Instruction,
   Directorate at Raipur (C.G.).

3. Collector,
   District Bilaspur (C.G.).

4. District Education Officer,
   Bilaspur (C.G.).

RECEIVED COPY 28/9/04
Clerk to A. G. Bilaspur

28/9/04

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(26)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3576/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	01-11-2004 Shri Sameer Behar, Counsel for the petitioner. Shri V.V.S. Murthy, Dy. Advocate General with Shri Akhil Agrawal, Panel Lawyer for the State. Application for urgent hearing is allowed. Heard. Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that in Govt. High School, Begacapa out of 6 sanctioned posts of Upper Division Teachers presently two are posted including the petitioner. He also submits that on the event of relieving of the petitioner there will be only one Teacher is left who is also going to be retired on 31-12-2005 (Annexure-P/2). He also submits that in the said School total strength of the students are 548 (Annexure-P/3). He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Having considered the facts and circumstances and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition	

(29)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3576/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	and this order, within 10 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law by a reasoned order as early as possible preferably within six weeks from the date of receipt of the representation. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law. Counsel for the petitioner submits that the petitioner has not been relieved so far. He prays for stay till the representation is decided. In view of the facts and circumstances of the case, it is directed that till the representation is decided, if the petitioner is not relieved, he be allowed to continue. With the aforesaid observations, this petition stands disposed of. Consequently M.W.P.No.4021/04 also stand disposed of. Certified copy as per rules.	**Sd/-** **Fakhruddin** **Judge**
Gowri		